

## UNITED STATES COURT OF APPEALS

JUN 25 2008

## FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

CRAIG YATES,

No. 08-15538

Plaintiff - Appellant,

D.C. No. 07-CV-04087-JSW  
Northern District of California,  
San Francisco

v.

UNION SQUARE; et al.,

ORDER

Defendants - Appellees.

Before: Peter L. Shaw, Appellate Commissioner.

The court has received and reviewed the response to this court's order to show cause. The jurisdictional issue does not appear suitable for summary disposition. Accordingly, the order to show cause is discharged.

Appellees' alternative request to stay appellate proceedings pending resolution of the issues certified to the California Supreme Court in *Munson v. Del Taco, Inc.*, No. 06-56208, is granted. Within 60 days after the date of this order and every 60 days thereafter, appellees shall submit a report on the status of the California Supreme Court's consideration of *Munson v. Del Taco, Inc.*, No. 06-56208, or file a motion for appropriate relief.